

**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES**

In The Matter Of:

**CENTURY MORTGAGE, INC.,
RONALD BURGER, DESIGNATED
BROKER AND OWNER, DALE SAGE
GIBBONS, OWNER, DWAIN R.
KLEIN, OWNER, GENE ARTHUR
TAYLOR, MICHAEL DEASY, CURTIS
ORVICK, JON WEBB, SCOTT
TOLLEFSON, DAVID BURGER, AND
MARK HODGE,**

Respondents

**NO. C-02-285-03-CO08
OAH Case No. 2002-DFI-0006**

**CONSENT ORDER
BETWEEN THE DEPARTMENT AND
CENTURY MORTGAGE, INC.**

COMES NOW the Acting Director, Division of Consumer Services, Department of Financial Institutions, (Acting Director), Chuck Cross and Century Mortgage, Inc. (hereinafter referred to as "Respondent Century Mortgage, Inc.") by and through its attorney, Bevan Maxey, and finding that the issues raised in the captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 19.146 of Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

AGREEMENT AND ORDER

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondent Century Mortgage, Inc. have agreed upon a basis for resolution of the matters alleged in Statement of Charges and Notice of Intention to Enter an Order To Revoke License, Prohibit from Participation in Industry and Assess Monetary Penalties ("Statement of Charges") No. C-02-285-02-SC04 issued August 26, 2002 (copy attached hereto). Pursuant to chapter 19.146 RCW, the

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Mortgage Broker Practices Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondent Century Mortgage, Inc., hereby agrees to the Department's entry of this Consent Order and further agrees that the issues raised in the above captioned matter may be economically and efficiently settled by entry of this Consent Order. The parties intend this Consent Order to fully resolve the Statement of Charges as it relates to Respondent Century Mortgage, Inc. and agree that Respondent Century Mortgage, Inc. does not admit any wrongdoing by its entry. Respondent Century Mortgage, Inc. is agreeing not to contest said Statement of Charges in consideration of the terms of this Consent Order.

Based upon the foregoing:

A. Jurisdiction. It is AGREED that the Department has jurisdiction over the subject matter of the activities discussed herein.

B. Consent to Be Bound By Order. It is AGREED that the parties shall be bound by the terms and conditions of this Consent Order as set forth herein.

C. Waiver of Hearing. It is AGREED that Respondent Century Mortgage, Inc. has been informed of its right to a hearing before an administrative law judge, and that it has waived same right to a hearing and any and all administrative and judicial review of the issues raised in this matter, or of the resolution reached herein. Accordingly, immediately upon receipt of a conformed copy of this Consent Order, Respondent Century Mortgage, Inc. agrees to dismiss this appeal and to inform the Office of Administrative Hearings in writing of its dismissal.

D. Non-Compliance with Order. It is AGREED that Respondent Century Mortgage, Inc. understands that failure to abide by the terms and conditions of this Consent Order may result in further legal action by the Director. In the event of such legal action, Respondent Century

Mortgage, Inc. may be responsible to reimburse the Director for the cost incurred in pursuing such action, including but not limited to, attorney fees.

E. Revocation of Mortgage Broker License. It is AGREED that the mortgage broker license issued to and held by Respondent Century Mortgage, Inc. shall be and is hereby REVOKED immediately upon entry of this Consent Order.

F. Application for Licenses. It is AGREED that upon entry of this Consent Order Respondent Century Mortgage, Inc. shall refrain from applying for any license issued by the Department under any name for a period of twenty five (25) years.

G. Fine. It is AGREED that, should Respondent Century Mortgage, Inc. apply to the Department for any license at any time after twenty-five (25) years from the date of entry of this Consent Order, Respondent Century Mortgage, Inc. shall pay to the Department a fine of \$50,000.

H. Authority to Execute Order. It is AGREED that the undersigned has represented and warranted that they have the full power and right to execute this Consent Order on behalf of the party represented.

I. Voluntarily Entered. It is AGREED that the undersigned Respondent Century Mortgage, Inc. has voluntarily entered into this Consent Order, which is effective when signed by the Director's designee.

J. Completely Read, Understood, and Agreed. It is AGREED that Respondent Century Mortgage, Inc., by and through its duly authorized representative and legal counsel, has read this Consent Order in its entirety and fully understands and agrees to all of the same.

CENTURY MORTGAGE, INC.

By: RONALD BURGER, Owner

DATE 2/23/2004 /s/

By: DALE SAGE GIBBONS, Owner

DATE 2/23/2004 /s/

_____/s/_____
BEVAN MAXEY
Attorney at Law
Attorney for Respondent Century Mortgage, Inc.

2/23/2004
DATE

IT IS SO ORDERED.

Dated and Entered this 24th day of February, 2004.

/s/
CHUCK CROSS, Acting Director
Division of Consumer Services
Department of Financial Institutions